Peter S. Bejsiuk, Esq.
PB9598
PA Atty ID 35923
CAPEHART & SCATCHARD, P.A.
Laurel Corporate Center, Suite 300
8000 Midlantic Drive
Mount Laurel, N.J. 08054
(856) 234-6800
Attorneys for Plaintiff Bombardier Capital Inc.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

BOMBARDIER CAPITAL INC.	:	
	:	CASE NO. CA05-127E
Plaintiff,	:	
	:	Honorable Sean J. McLaughlin
v.	:	
	:	CIVIL ACTION
ESTATE OF ARTHUR G. KEARNS, deceased, individually and doing business as JACK BALL MOBILE HOME SALES AND SERVICE, ELLEN L. KEARNS, AND JACK BALL MOBILE HOME SALES AND SERVICE,	:	
Defendants.	:	

STIPULATION OF DISMISSAL WITH PREJUDICE AND WITHOUT COSTS OR ATTORNEYS' FEES

WHEREAS, the Plaintiff, Bombardier Capital Inc. and Defendants Estate of Arthur G. Kearns, deceased, individually and doing business as Jack Ball Mobile Home Sales and Service, Ellen L. Kearns, and Jack Ball Mobile Home Sales and Service, have amicably resolved all disputes raised in the above captioned matter; and

NOW, THEREFORE, the Plaintiff, Bombardier Capital Inc., and Defendants, Estate of Arthur G. Kearns, deceased, individually and doing business as Jack Ball Mobile Home Sales and Service, Ellen L. Kearns, and Jack Ball Mobile Home Sales and Service., do hereby stipulate, agree, consent, direct, and authorize the Clerk of the United States District Court, Western District of Pennsylvania to dismiss the Verified Complaint for Temporary Restraints, Replevin, and Money Damages, with prejudice and without costs or attorneys' fees, in the above captioned matter.

Steadman Law Office
Attorneys for Defendants, Estate of Arthur G. Kearns, deceased, individually and doing business as Jack Ball Mobile Home Sales

By: ________________
James R. Steadman, Esq.

Dated: July 13, 2005

Capehart & Scatchard, P.A.
Attorneys for Plaintiff,
Bombardier Capital Inc.

By: ________________
Peter S. Bejsiuk, esq.

Dated: July 19, 2005

H:\LE\B\bci05896\503096.doc

CAPEHART SCATCHARD

ATTORNEYS AT LAW

Peter S. Bejsiuk
856.914.2057
pbejsiuk@capehart.com

July 27, 2005

Clerk
U.S. District Court
17 South Park Row
Erie, PA 16501

RE: Bombardier Capital Inc. v. Estate of Arthur G. Kearns, deceased, individually and doing business as Jack Ball Mobile Home Sales and Service, Ellen L. Kearns, and Jack Ball Mobile Home Sales and Service
Civil Action/Case No. 05-127E
Our File No. 1018.05896

Dear Clerk:

Enclosed please find an original and one copy of Stipulation of Dismissal with Prejudice and Without Costs or Attorneys' Fees in the above captioned matter. I have also enclosed a copy on disk. Please file the Stipulation and return a "filed" copy in the return envelope provided. Thank you.

Very truly yours,

CAPEHART & SCATCHARD, P.A.

Peter S. Bejsiuk

Encl.
cc: James R. Steadman, Esq. (w/encl.)

H:\le\b\bci05896\504376.doc